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veri on

August 30, 2007

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Ex Parte

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: **Petitions for Forbearance from Title II and Computer Inquiries Requirements for Enterprise Broadband Services, WC Docket Nos. 06-125 and 06-147**

Dear Ms. Dortch:

Yesterday, Verizon provided Mr. John Hunter of Commissioner McDowell's office the attached analyses and request that they be filed in the above proceedings.

Please let me know if you have any additional questions.

Sincerely,

Dee May

Attachments

cc: J. Hunter
    T. Navin
    M. Maher
    C. Shewman
    D. Stockdale

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Press Release   Source: Time Warner Telecom Inc.

Time Warner Telecom Grows Ethernet Market Share

Tuesday August 21, 1:17 pm ET

- Company increases share of Ethernet ports by 3 market share points
- Vertical Systems Group Ranks Time Warner Telecom One of Top 3 Providers
- Company continues to see high demand for Ethernet services

LITTLETON, Colo., Aug. 21 /PRNewswire-FirstCall/ -- According to a recent Ethernet market share analysis from Vertical Systems Group, Time Warner Telecom (Nasdaq: TWTC - News), a leading provider of voice, Internet and data solutions to businesses across the country, has increased its share of Ethernet ports in service by 3 market share points, or 28 percent, over the last six months. Vertical Systems Group provides in-depth, accurate, defensible statistics and analysis on networking markets with a focus on Ethernet services, IP VPNs, Frame Relay, Private Lines, ATM, DSL, MPLS, VPLS, and Internet Access.

"As customers realize the important benefits of Ethernet, our percentage of market share increases significantly," said Mike Rouleau, Senior Vice President, Strategy and Business Development for Time Warner Telecom. "Businesses are benefiting from our innovation in delivering services based on this very easy to use, scalable, reliable and secure technology. Our Ethernet services easily connect their businesses from doorstep to doorstep, and city to city across the country. This report continues to prove that our decision to offer metro Ethernet four years ago to all our customers was the right one."

"Time Warner Telecom continues to be a leader in delivering Ethernet to businesses across the country, as evidenced by impressive gains from our year- end 2006 port share results," said Erin Dunne, Director of Research Services for Vertical Systems Group. "The company's strategy to focus on delivering Ethernet to business customers has established them as one of the top 3 providers of retail Business Ethernet services in the U.S."

Time Warner Telecom grew by 3 market share points, while AT&T, which this year also included ports it acquired from Bell South, actually shrunk by nearly 3 market share points. This halved the gap between Time Warner Telecom and AT&T and firmly establishes the company as one of the top 3 Ethernet service providers in the industry. The mid-year 2007 U.S. Ethernet port share totals are calculated using the installed base of actual U.S. Business Ethernet installations as of June 30, 2007. The report also underscores the fact that business customers are abandoning older Frame Relay and ATM technologies for the speed, flexibility and affordability of Ethernet.

Time Warner Telecom's metro Ethernet services are available in speeds from 1 Mbps to 10 Gbps, with national connectivity at speeds up to 1 Gbps. The company sells its Ethernet-based offerings to medium and large enterprise customers that require sophisticated and versatile high-bandwidth connections. Enterprise businesses that benefit from Ethernet connectivity are medical providers, financial institutions, military, government and education. Time Warner Telecom offers its Ethernet-based solutions to customers in 75 metropolitan markets across the U.S. and the District of Columbia as well as extending that coverage between markets with its more than 25,000 route mile fiber network and IP backbone.

About Time Warner Telecom

Time Warner Telecom Inc., headquartered in Littleton, Colo., provides managed network services, specializing in Ethernet and transport data networking, Internet access, local and long distance voice, VoIP and security, to enterprise organizations and communications services companies throughout the U.S. As a leading provider of

integrated and converged network solutions, Time Warner Telecom delivers customers overall economic value, quality, service, and improved business productivity. Please visit http://www.twtelecom.com for more information.

About Vertical Systems Group

Vertical Systems Group (http://www.verticalsystems.com) is recognized worldwide as a leading market research and strategic consulting firm specializing in defensible quantification of the networking industry. ENS is the industry's authoritative resource for "real world" analysis on broadband services, including Ethernet, IP VPNs, MPLS / VPLS, Frame Relay, ATM, Private Lines, Access, Fiber and more. To speak with an analyst at Vertical Systems Group, call Elizabeth Swanson at +1.781.329.0900 ext. 213 or eswanson@verticalsystems.com.

Source: Time Warner Telecom Inc.

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Vertical Systems Group:
Mid-Year 2007 Market Share Results for U.S. Business Ethernet Services

WESTWOOD, MA, FOR IMMEDIATE RELEASE...Two of the top three providers of retail Business Ethernet Services in the U.S. gained port share for mid-year 2007 as compared to year-end 2006 results, according to Vertical Systems Group's latest market analysis. In addition, an MSO entered into the top tier for the first time, while several other major providers had share declines.
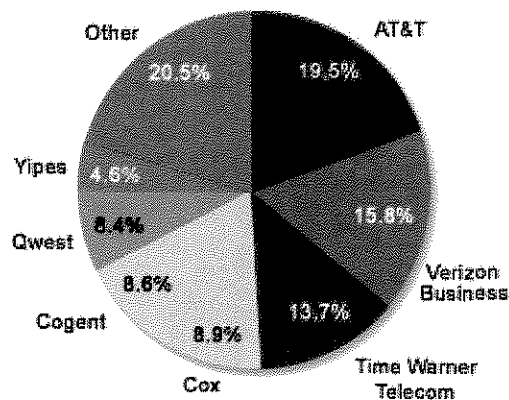
"As anticipated, competition in the Business Ethernet Services market heated up during the first half of 2007, resulting in considerable port share fluctuation," said Rick Malone, Principal at Vertical Systems Group. "The dense availability of low cost metro services boosted share for many regional U.S. Ethernet providers, including MSOs. Additionally, the aggressive deployment of new fiber infrastructure for residential applications enabled broader accessibility of native Ethernet services for adjacent business sites."

**Retail Business Ethernet Services
Mid-Year 2007 U.S. Port Share**

Other 20.5%
AT&T 19.5%
Yipes 4.6%
Qwest 8.4%
Cogent 8.6%
Cox 8.9%
Time Warner Telecom 13.7%
Verizon Business 15.8%

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AT&T, Verizon Business and Time Warner Telecom are the top three U.S. retail Business Ethernet Services providers. AT&T, including BellSouth (acquired in December 2006) holds the leading position with a 19.5% share of mid-2007 ports. AT&T's share declined as compared to the combined year-end 2006 shares for AT&T (13.6% port share) plus BellSouth (8.5%). Verizon Business is second overall with a 15.8% port share, up from 12.2% at year-end 2006. In third position is Time Warner Telecom with 13.7% of ports, a jump from 10.7% in 2006.

Cox Business, holding a port share of 8.9%, makes a debut in fourth position as the first MSO in the top tier of U.S. Business Ethernet providers. Cogent is fifth with an 8.6% share of the market, an increase from 8.2% at year-end 2006. Qwest (including OnFiber) is sixth at 8.4%, down from a 9.9% port share. Yipes is seventh with a share of 4.6%, a decline from 5.4% at year-end. Yipes recently announced its acquisition by Reliance Communications and will operate as a business unit within the company's FLAG Telecom operations.

Other Business Ethernet Services providers comprise an aggregate 20.5% of the market, including AboveNet, American Fiber Systems, Alpheus Communications, American Telesis, Arialink, Balticore, Bright House Networks, Charter Business, CIFNet, Cincinnati Bell, Comcast Business, CT Communications, Electric Lightwave, Embarq, Expedient, Exponential-e, Fibernet Telecom Group, FiberTower, Global Crossing, Globix, IP Networks, Level 3 (including Broadwing), LS Networks, Masergy, Met-Net, Neopolitan Networks, NTELOS, NTT/Verio, Optimum Lightpath, Orange Business, RCN, Savvis, Spirit Telecom, Sprint, SuddenLink, Surewest, Time Warner Cable, US LEC, US Signal, Veroxity, Virtela, Windstream, XO, and others.

About *Emerging Networks Service (ENS) Research Programs*

Detailed statistics for the Business Ethernet Services market are available exclusively through Vertical Systems Group's *ENS Research Programs*, which feature analyst support time plus unlimited web-based access to hundreds of research topics. Research content for the Ethernet Services market covers segmentation by application, target opportunity analysis, migration analysis for 10+ Mbps and Sub-10 Mbps services, revenue and port projections by speed (1+ Gbps, 100 Mbps, 10 Mbps, Sub-10 fiber, Sub-10 copper), fiber statistics, service pricing by segment and speed, market shares, a directory of service offerings worldwide, plus directories of service providers and equipment vendors. All research data is organized in an easy-to-use, interactive format using color graphics and key stats, with data tables designed for direct export to Excel. *ENS* (*Emerging Networks Service*) is a comprehensive "real world" resource that delivers in-depth coverage of network services markets coupled with extensive analysis of legacy to emerging services data that is more defensible than forecasts from a discrete "survey" or single market report. Contact us now for more information on a program that fits your organization's needs.

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